

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ROBERT DIAZ,

Defendant.

SEALED INDICTMENT

23 Cr.

**23 CRIM**

**484**

COUNT ONE  
(Theft of a Postal Key)

The Grand Jury charges:

1. On or about June 28, 2022, in the Southern District of New York and elsewhere, ROBERT DIAZ, the defendant, knowingly stole, purloined, embezzled, and obtained by false pretense a key suited to a lock adopted by the Post Office Department and the Postal Service and in use on the mails and bags thereof, and a key to a lock box, lock drawer, and other authorized receptacle for the deposit and delivery of mail matter, to wit, DIAZ stole an arrow key belonging to the Postal Service.

(Title 18, United States Code, Section 1704.)

COUNT TWO  
(Assault of a Person Having Custody of Property of the United States)

The Grand Jury further charges:

2. On or about June 28, 2022, in the Southern District of New York and elsewhere, ROBERT DIAZ, the defendant, knowingly assaulted and robbed a person having lawful charge, control, and custody of mail matter and of money and other property of the United States, with intent to rob, steal and purloin such mail matter, money, and other property of the United States,

to wit, DIAZ robbed a U.S. postal carrier and stole an arrow key belonging to the Postal Service.

(Title 18, United States Code, Section 2114(a).)

**COUNT THREE**  
**(Theft of a Postal Key)**

The Grand Jury further charges:

3. On or about July 8, 2022, in the Southern District of New York and elsewhere, ROBERT DIAZ, the defendant, knowingly stole, purloined, embezzled, and obtained by false pretense a key suited to a lock adopted by the Post Office Department and the Postal Service and in use on the mails and bags thereof, and a key to a lock box, lock drawer, and other authorized receptacle for the deposit and delivery of mail matter, to wit, DIAZ stole an arrow key belonging to the Postal Service.

(Title 18, United States Code, Sections 1704 and 2.)

**COUNT FOUR**  
**(Assault of a Person Having Custody of Property of the United States)**

The Grand Jury further charges:

4. On or about July 8, 2022, in the Southern District of New York and elsewhere, ROBERT DIAZ, the defendant, knowingly assaulted and robbed a person having lawful charge, control, and custody of mail matter and of money and other property of the United States, with intent to rob, steal and purloin such mail matter, money, and other property of the United States, to wit, DIAZ robbed a U.S. postal carrier and stole an arrow key belonging to the Postal Service.

(Title 18, United States Code, Sections 2114(a) and 2.)

**FORFEITURE ALLEGATION**

5. As a result of committing the offenses alleged in Counts One through Four of this Indictment, ROBERT DIAZ, the defendant, shall forfeit to the United States, pursuant to Title 18,

United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

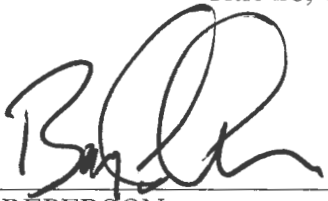
**Substitute Assets Provision**


6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
FOREPERSON  
19 Sept 2023

  
DAMIAN WILLIAMS  
United States Attorney